

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARL DEMONZE LOVE,
Plaintiff,
v.
CDCR HEALTH CARE SERVICES, et al.,
Defendants.

No. 2:21-cv-0652 DJC CKD P

ORDER

Plaintiff, a state prisoner, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 9, 2024, the Magistrate Judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has filed objections (ECF No. 53) and Defendants have filed a response (ECF No. 54).

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the Court finds the findings and

1 recommendations to be supported by the record and by the magistrate judge's
2 analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations (ECF No. 52) are ADOPTED IN FULL;
- 5 2. Defendants' motion for summary judgment (ECF No. 46) is GRANTED; and
- 6 3. The Clerk of the Court is DIRECTED to close this case.

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8 IT IS SO ORDERED.

9 Dated: **March 12, 2024**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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